



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

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GOVERNOR

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SECRETARY

June 20, 2007

MEMORANDUM TO: AGC-DOT Joint Cooperative Committee Members

FROM: E. C. Powell, Jr., PE  
State Construction Engineer

SUBJECT: Minutes to the Joint Committee Meeting

The Joint Cooperative Committee of the AGC-DOT met at 10:00 AM on May 17, 2007, in the Chief Engineer's Conference Room at the NCDOT Equipment and Maintenance Facility located at Beryl Road in Raleigh.

Members and attendees present included:

Debbie Barbour  
Victor Barbour  
Kevin Burns  
Bill Copeland  
Allan Cahill  
Steven DeWitt  
C. A. Gardner  
Brad Goodson  
Ron Hancock

Berry Jenkins  
Drew Johnson  
Kenneth Johnson  
Michael Long  
Bob Lofling  
Art McMillan  
Graham Moore  
Jeff Mann  
Jon Nance

Ellis Powell  
Johanna Reese  
Bill Rosser  
Kalliopi Sgouros  
Shannon Sweitzer  
Bill Tomlinson  
Philip Watts  
Jim Wyngarden  
Sim A. Wooten Jr.

Mr. Graham Moore introduced Mr. Bill Tomlinson as the new committee member.

*AGENDA*

*Project Lettings .....Debbie Barbour*

- Ms. Debbie Barbour advised that the forecast for TIP projects for 2007 would increase to approximately \$800 Million. In addition, \$200 Million in Garvee projects will be let. The total letting amount for 2007 will reach \$1 Billion.  
Over the next couple of years, the Department has \$1.1 Billion on the letting list, including additional Garvee projects.

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1 SOUTH WILMINGTON STREET  
RALEIGH NC

- From the 12 month letting list, Ms. Barbour reviewed the status of the following projects:

*June* - The Department anticipates letting the second bridge to Oak Island (R-2245).

*July* - Anticipate letting the Sunset Beach bridge (B-682). Preconstruction is finalizing the details for this project. The Department is currently waiting on the 404 and Coast Guard Permits. In addition, there is also a Right-of-Way issue with the Army Corps of Engineers permanent easement.

*December* - The Department anticipates letting the US-19 project in Madison and Yancey counties (R-2518A). Preconstruction is currently working on the associated permits.

*NCDOT Legislative Agenda..... Johanna Reese*

- Ms. Johanna Reese, Legislative Representative Liaison with the NCDOT, provided updates of the House Budget, which was passed by the House and it is now looked at by the Senate. The following changes are anticipated:
  - 1) \$21.7 Million for the I-40 Project is an item of great concern with the legislation and is expected to appropriate this money in the couple year period.
  - 2) \$3 Million on Resurfacing Projects.
  - 3) \$1 Million on Maintenance Revenue.
  - 4) Less than \$1 Million on Preservation.
  - 5) \$14 Million on Economic Development.
  - 6) Establishment of a Study Group for oversight of DOT's Budgeting Process.
  - 7) Special Provision for the transfer of the Highway Funds to the General Fund; 50% on 2009 and 50% for the year 2011.

- Ms. Reese discussed the following House and Senate Bills:

***House Bill # 610- Design-Build Construction /Transportation-AB***

An ACT to set number of Design-Build construction contracts that may be awarded by the Department at twenty-five contracts each fiscal year.

*Status: The Bill was passed and it is now going to the House Committee.*

***Senate Bill # 1346- Study State w/Minority Businesses***

An ACT authorizing the legislative research commission may study the extent to which minority businesses are granted construction projects, service contracts, and purchase projects with the State and way that the % can be increased.

*Status: The Bill has Not moved through the Committee yet.*

***House Bill # 292- Accelerated Yadkin River Bridge Replacement***

An ACT to authorize the North Carolina Turnpike Authority to study and undertake preliminary design work for a replacement for the Yadkin River Bridge.

*Status: Moved through the Committee.*

***Senate Bill # 1352- Toll Violation Enforcement***

An ACT to provide for the enforcement of tolls at toll facilities operated by the North Carolina Turnpike Authority.

*Status: The bill has Not moved through the Committee yet.*

***Senate Bill # 1548- Turnpike Authority Bonds/Secured-State Funds.***

An ACT to authorize the North Carolina Turnpike Authority to issue bonds secured in whole or in part by appropriations to the Authority from the State of North Carolina.

*Status: The Bill has Not moved through the Committee yet.*

***House Bill # 802- Contract Power/Department of Transportation.-AB***

An ACT to provide the Department of Transportation contracting authority to provide for transportation infrastructure and litter removal from State Rights-of-Way.

***Senate Bill # 1513-County Financing/Highway and Bridge Projects.***

An ACT to allow counties to participate in financing improvements to public streets, highways, and bridges.

***House Bill # 1632- DOT Express Permitting Study.***

An ACT to study ways to improve, expedite, and simplify the Department of Transportation permitting processes.

***House Bill # 1485- NC Illegal Immigration Prevention Act.***

An ACT to establish the North Carolina illegal immigration prevention act to provide for the comprehensive regulation of persons in this state who are not lawfully present in the United States.

*Status: The Bill has not moved through the Committee yet.*

On the subject of the Gap money, Ms. Reese stated that the Senate would not appropriate funding in the Budget for DOT transportation projects without new revenue.

*N.C. Turnpike Authority Progress .....Steve DeWitt*

- Mr. DeWitt circulated copies of the NC's Turnpike Authority Project Delivery Schedule and discussed the following issues and updates on the list:

- 1) Advertisement – Comments were requested from the Committee concerning two Western Wake Parkway projects being combined. The two projects to be combined are R-2635B and R-2635C.  
The final cost of the combined project is anticipated to be over \$300 Million including construction and preliminary engineering.
- 2) Delay & Financing: – Advertisement of R-2635B & C will be delayed from June 1 to September 1, 2007. R-2635A and U-4763B are scheduled to be advertised as separate projects in February 2008.
- 3) Miscellaneous Issues:

- a) The infrastructure of the Plazas will be included in the project contract but the IT portion as well as the landscaping will be let as separate projects.
- b) There are still R/W and permitting issues to be solved.

*Dispute Resolution Provision for N.C. Turnpike Authority.....Shannon Sweitzer*

- Mr. Shannon Sweitzer distributed and presented to the Committee a draft copy of the “Dispute Resolution Special Provision” of N.C. Turnpike Authority. This document, which is now going through the AG’s office, was modeled after a similar provision from Idaho and Florida. This special provision provides for a formal Dispute Review Board (DRB) review process and it describes the purpose, procedure, function and features of the DRB.
- Mr. Sweitzer requested the contracting industry to review this special provision and send comments to the Turnpike Authority by the first part of June. Mr. Berry Jenkins stated that the AGC would do so following their review of this document and after seeking a feedback from the Construction Section of the North Carolina Bar Association at their upcoming scheduled meeting.

The next meeting is scheduled for July 19, 2007, at 10:00 A.M. in the Chief Engineer’s Conference Room at the North Carolina Department Of Transportation Equipment and Maintenance Facility located at Beryl Road in Raleigh.

KS:kdI

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Mr. Dan DeVane

Mr. W. D. Riddick

Mr. Roberto Canales, PE

Ms. Susan Coward

Mr. W. F. Rosser, PE

Mr. W. S. Varnedoe, PE

Ms. D. M. Barbour, PE

Mr. S. D. DeWitt, PE

Mr. J. G. Nance, PE

Mr. L. D. Love, PE

Mr. B. G. Jenkins, Jr., PE

Mr. C. L. Jones, PE

Mr. V. J. Barbour, PE

Mr. Art McMillan, PE

Mr. C. W. Leggett, PE